



MS PETITION
PATENT
3493-0109P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Serge MAGNET Conf.: 9636

Appl. No.: 09/782,562 Group: 1713

Filed: February 13, 2001 Examiner: HENRY S. HU

For: UV RESISTANT RESIN FOR PARAFFINIC
SOLVENT BASED PAINT

PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW THE HOLDING OF ABANDONMENT

MS PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2003

Sir:

In response to the Notice of Abandonment dated September 11, 2003, applicant hereby respectfully petitions under the provisions of 37 C.F.R. § 1.181 and MPEP § 711.03(c) for a decision to withdraw the holding of abandonment due to failure to pay the Issue Fee.

The Notice of Abandonment dated September 11, 2003 indicates that this application was abandoned in view of the applicant's failure to pay the Issue Fee, the Notice of Allowance was mailed on May 1, 2003.

However, this Notice of Allowance was never received by the offices of THE GOODYEAR TIRE & RUBBER COMPANY (Akron, Ohio), which was the addressee of record on May 1, 2003. This fact was verified by a communication between a representative of THE GOODYEAR TIRE & RUBBER COMPANY and a representative of ELIOKEM (the current assignee) on or before October 21, 2003.

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In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with mailing of a Notice of Allowance since the Notice of Allowance dated May 1, 2003 was never received in the offices of THE GOODYEAR TIRE & RUBBER COMPANY. The present Petition is timely filed for this purpose.

Since the above-mentioned Notice of Allowance was never received, it is believed that the petition fee is \$110.00 in connection with this Petition.

Enclosed herewith is a signed Issue Fee Transmittal, the Issue Fee of \$1,330.00, and the publication fee of \$300.00. Also, Applicants "Advance Order" four (4) copies of patent at \$3.00 each for a total of \$12.00.

A check for the total fee of \$1752.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Raymond C. Stewart, #21,066
for

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

RCS/GMD/gh
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Attachment(s)

(Rev. 09/30/03)

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PART B - FEE(S) TRANSMITTAL



Complete and send this form, together with applicable fee(s), to: Mail Box ISSUE FEE
Commissioner for Patents
Alexandria, Virginia 22313-1450
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: If you are mailing with any corrections or use Block 1)

7590 05/01/2003

The Goodyear Tire & Rubber Company
 Patent & Trademark Department D4823
 1444 East Market Street
 Akron, OH 44316-0001

Birch, Stewart, Kolasch & Birch, LLP
 PO Box 747
 Falls Church, VA 22040-0747

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,562	02/13/2001	Serge Magnet	DN2001030	9636

TITLE OF INVENTION: UV RESISTANT RESIN FOR PARAFFINIC SOLVENT BASED PAINT

3493109

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$300	\$1600	08/01/2003
EXAMINER		ART UNIT	CLASS-SUBCLASS		
HU, HENRY S		1713	524-081000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (a. "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

BIRCH, STEWART,
2 KOLASCH & BIRCH, LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee

Payment in the amount of the fee(s) is enclosed.

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

Advance Order - # of Copies 4

The Commissioner is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 02-2448 (enclose an extra copy of this form). (if necessary)

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) *Raymond C. Stewart* (Date) *11-10-03*

Raymond C. Stewart, #21-066 11-10-03
 NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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02 FC:1504	300.00 0P
03 FC:8001	12.00 0P

TRANSMIT THIS FORM WITH FEE(S)

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